

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>Hayden Richardson,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	<b>Civil Action No. 1:21-cv-00522</b>
<b>v.</b>	)	<b>Honorable Edmond E. Chang</b>
	)	
<b>Northwestern University, Amanda</b>	)	
<b>DaSilva, Heather Van Hoegarden</b>	)	
<b>Obering, Michael Polisky, and Pamela</b>	)	
<b>Bonnevier,</b>	)	
	)	
<b>Defendants.</b>	)	

**PARTIES' JOINT STATUS REPORT**

Plaintiff Hayden Richardson (“Plaintiff”) and Defendants Northwestern University, Amanda DaSilva, Heather Van Hoegarden Obering, Michael Polisky and Pamela Bonnevier (“Defendants”) (collectively, the “Parties”), by and through their undersigned counsel, pursuant to the Court’s January 22, 2024 Order (Dkt. No. 137), hereby file this discovery progress report and state as follows:

1. As reported to this Court on January 19, 2024, the Parties agreed to respond to the voluminous written discovery requests served on all Parties by January 31, 2024. (Dkt. No. 136, ¶ 1.) Due to Plaintiff’s need for additional time, and subsequently a personal concern for her counsel, the Parties agreed to two additional extensions, to February 5 and then February 8, 2024. All Defendants responded with written Answers to Interrogatories and written Responses to Document Requests on February 8, 2024. Defendant Northwestern University (“Defendant

Northwestern”) produced 1,937 pages of documents that same day. Defendant Northwestern made a second production on March 1, 2024, for a total of 2,181 pages.

2. On February 9, 2024, Plaintiff served her written responses to all of the Defendants’ written discovery requests. Plaintiff made her first production of documents, totaling 97 pages, on February 19, 2024. Plaintiff’s production of documents remains ongoing, including the collection and production of ESI.

3. As reported to this Court on January 19, 2024, Defendant Northwestern and Plaintiff had commenced Local Rule 37.2 discussions related to the scope of certain of Plaintiff’s discovery requests and an ESI search protocol applicable to Northwestern. (Dkt. No. 136, ¶ 3.) Plaintiff and Defendant Northwestern have agreed on that ESI protocol, but are still discussing the scope of Plaintiff’s discovery requests to Defendant Northwestern.

4. In addition, multiple Defendants have sent Plaintiff Local Rule 37.2 letters setting forth their respective positions on deficiencies in Plaintiff’s discovery responses and 97-page document production. Defendant Obering sent her letter to Plaintiff on February 26, 2024; Defendant Amanda DaSilva sent her letter to Plaintiff on March 4, 2024; Defendant Northwestern sent its letter to Plaintiff on March 5, 2024; and Defendant Polisky sent his letter to Plaintiff on March 7, 2024.

5. Plaintiff is in the process of reviewing and responding to Defendants’ Local Rule 37.2 letters, including scheduling meet and confer meetings with counsel to address the issues raised in Defendants’ letters.

6. On February 16, 2024, Defendant Obering issued subpoenas to several law schools that were identified by Plaintiff in her Complaint in connection with her claims for damages. Defendant Polisky issued a subpoena to the University of Nebraska – Lincoln (where Plaintiff was

a student prior to her enrollment at Northwestern University) on March 7, 2024. Plaintiff has executed a FERPA release authorizing the law schools and other third party educational institutions to produce Plaintiff's FERPA-protected records pursuant to subpoenas.

7. On February 21, 2024, Defendant Obering served a second set of interrogatories on Plaintiff.

8. On February 26, 2024, Defendant Northwestern issued subpoenas to the three health care providers named in Plaintiff's initial disclosures who are unaffiliated with Northwestern. Northwestern is conferring with Plaintiff to resolve challenges in completing service.

9. The Defendants, collectively, sent a proposed ESI Protocol applicable to Plaintiff on February 27, 2024, and are awaiting a response from Plaintiff.

10. Discovery has been slowed due to the FERPA protocol. Pursuant to the FERPA Order (Dkt. No. 130), on January 19, 2024, Defendant Northwestern University issued notices to 74 current and former students identified largely by Plaintiff in her Complaint and her Initial Disclosures.

11. Those current and former students had until February 2, 2024 to lodge objections with the Court. Ten students objected, and on February 26, 2024, all Parties in this case filed their respective responses to those objections (Dkt. Nos. 150-154) and jointly filed a Motion for a Status Hearing, noticed for March 7, 2024 (Dkt. Nos. 149, 156), to discuss FERPA disclosures with this Court. Key FERPA-protected materials that are necessary for the prosecution and defense of the claims in this case cannot be produced until this issue is decided.

12. The Parties have not yet begun depositions or expert discovery given all of the outstanding issues surrounding written discovery.

Respectfully submitted,

/s/ Anneliese Wermuth

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**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on March 8, 2024, she electronically filed the foregoing **Joint Status Report** with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record.

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